

Appln. No. 10/666,335
Amd. dated November 8, 2006
Reply to Office Action of August 8, 2006

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Pending claims 7-19 are cancelled and are replaced with new claims 20-23, which define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

A reference to related applications was inserted by the transmittal letter (page 2) filed with the instant application. This reference is amended to update the status of application 09/889,828 as "now U.S. Patent 6,663,865".

The objection to claim 19 for depending from a cancelled claim is obviated by the cancellation of claim 19 without prejudice.

Claims 7, 8 and 17-19 have been rejected under 35 U.S.C. §102(b) as being anticipated by Elliot et al., *The Lancet*, Vol. 344, No. 8930, October 22, 1994, pages 1105-1110. This rejection is obviated by the cancellation of rejected claims 7, 8 and 17-19 without prejudice.

New claims 20-23 are not subject to this rejection because Elliot does not disclose the presence of a biologically active hCG, LH or FSH in the pharmaceutical composition administered to rheumatoid arthritis patients. Accordingly,

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Elliot does not anticipate the present claims. The newly recited feature of the presence of biologically active hCG, LH or FSH in new claims 20-23 is supported in the specification at page 12, lines 19-24.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 7, 8 and 17-19 have been rejected under 35 U.S.C. §102(e) as being anticipated by Salfeld et al., U.S. Patent 6,090,382, with a filing date of February 9, 1996. This rejection is obviated by the cancellation of rejected claim 7, 8 and 17-19 without prejudice.

As discussed above with regard to the §102(b) rejection over Elliot, new claims 20-23 are not subject to this rejection because Salfeld also does not teach the presence of a biologically active hCG, LH or FSH in the disclosed and claimed pharmaceutical composition. Accordingly, Salfeld does not anticipate the present claims.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C. §112 and define patentable subject matter warranting their

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allowance. Favorable consideration and early allowance are
earnestly urged.

Respectfully submitted,

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